

FILED: 5/20/2016 4:44:35 PM  
 Vickie Edgerly, District Clerk  
 Orange County, Texas  
 By: Denise Smith, Deputy

## CIVIL CASE INFORMATION SHEET

CAUSE NUMBER (FOR CLERK USE ONLY): A160163-C

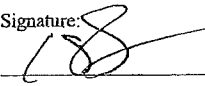
128th

COURT (FOR CLERK USE ONLY):

STYLED Ricky Wayne Kirkland, Ind. and as Personal Rep of Estate of Terri Kirkland, Deceased v. Buckley Transport, Inc., et al

(e.g., John Smith v. All-American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

<b>1. Contact information for person completing case information sheet:</b> Name: Christopher Smith Email: chris@smithlawfirm.com Address: 1006 Green Avenue City/State/Zip: Orange, TX 77630 Signature:  Telephone: (409) 886-7766 Fax: (409) 886-7790 State Bar No: 24002960		<b>Names of parties in case:</b> Plaintiff(s)/Petitioner(s): See attached Defendant(s)/Respondent(s): See attached [Attach additional page as necessary to list all parties]		<b>Person or entity completing sheet is:</b> <input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____ Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____	
<b>2. Indicate case type, or identify the most important issue in the case (select only 1):</b>					
<b>Civil</b>			<b>Family Law</b>		
<b>Contract</b> <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: <b>Foreclosure</b> <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:	<b>Injury or Damage</b> <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <b>Malpractice</b> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input checked="" type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <b>Product Liability</b> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage:	<b>Real Property</b> <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: <b>Related to Criminal Matters</b> <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:	<b>Marriage Relationship</b> <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <b>Divorce</b> <input type="checkbox"/> With Children <input type="checkbox"/> No Children <b>Other Family Law</b> <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:	<b>Post-judgment Actions (non-Title IV-D)</b> <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other <b>Title IV-D</b> <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order <b>Parent-Child Relationship</b> <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
<b>Employment</b> <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:		<b>Other Civil</b> <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:			
<b>Tax</b> <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax		<b>Probate &amp; Mental Health</b> <b>Probate/Wills/Intestate Administration</b> <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:			
<b>3. Indicate procedure or remedy, if applicable (may select more than 1):</b>					
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input checked="" type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
<b>4. Indicate damages sought (do not select if it is a family law case):</b>					
<input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input checked="" type="checkbox"/> Over \$1,000,000					

EXHIBIT

A

Rev 2/13

Cause No. A160163-C; Ricky Wayne Kirkland, Individually and as Personal Representative of the Estate of Terri Thompson Kirkland, Deceased vs. Buckley Transport, Inc., Buckley Transport Logistics, Inc., and Cravin Brock, Individually, in the  
\_\_\_\_\_ District Court of Orange County, Texas

Civil Case Information Sheet - Names of Parties:

Plaintiff(s)/Petitioner(s): Ricky Wayne Kirkland, Individually and as Personal Representative of the Estate of Terri Thompson Kirkland, Deceased

Defendant(s)/Respondent(s): Buckley Transport, Inc.  
Buckley Transport Logistics, Inc.  
Cravin Brock, Individually

## Orange County District Court

801 W Division. Orange, 77630 TX. Phone: (409)882-7825 EXT

## CASE HISTORY FOR CASE 160163-C

RICKY WAYNE KIRKLAND ET AL VS. BUCKLEY TRANSPORT INC ET AL

FILED DATE: 5/20/2016

CASE TYPE: C/MOTOR VEHICLE

STATUS: Active

JUDGE: 128th District Court

## CASE PARTIES:

Plaintiff KIRKLAND, RICKY WAYNE  
 Plaintiff Attorney Smith, Christopher S  
 Defendant BUCKLEY TRANSPORT INC  
 Defendant BUCKLEY TRANSPORT LOGISTICS INC  
 Defendant BROCK, CRAVIN

## CASE HISTORY FOR CASE 160163-C

KIRKLAND, RICKY WAYNE

Current Age: Unknown

DOB: Unknown

DL#:

SSN: 000-00-0000

Total Paid: \$ 310.00

Balance Due: \$ 0.00

COST	AMOUNT	PAY PRIORITY
Action: PLAINTIFF'S ORIGINAL PETITION		
COMP PUB ACCT CV (DC) \$50.00	\$50.00	20
DISTRICT CLK'S FEE-CASE \$50.00	50.00	50
OR CTY SHERIFF FEE-CASE \$5.00	5.00	50
LAW LIBRARY FEES \$20.00	20.00	50
STENOGRAPHIC FEES \$15.00	15.00	50
COURTHOUSE SEC FUND \$5.00	5.00	50
REC MGMT & PRES FD \$5.00	5.00	50
REC MGMT PRES FUND (CL-R)	5.00	40
JUDICIARY FEE	42.00	30
STATE FEE: IND LEGAL (CIVIL)	10.00	30
APPELLATE JUD SUPPORT FEE	5.00	30
DC DIGITIZE CT. R.	10.00	40
DC ARCHIVE	10.00	40
STATE E-FILING FEE (CV) \$30.00	30.00	20
Action: CITATION REQUESTED (STATE) (2)		
DISTRICT CLERK FEES : GENERAL	32.00	50
Action: CITATION REQUESTED (HIGHWAY COMMISSION)		
DISTRICT CLERK FEES : GENERAL	16.00	50
<b>Total:</b>	<b>\$310.00</b>	

DATE	TIME	DESCRIPTION
05/27/2016	11:15 am	Received payment of \$48.00 from Christopher S Smith (EFILE) for RICKY WAYNE KIRKLAND. Printed receipt #498794. KIRKLAND, RICKY WAYNE
05/26/2016	10:24 am	Received payment of \$262.00 from Christopher S Smith (EFILE) for RICKY WAYNE KIRKLAND. Printed receipt #498727. KIRKLAND, RICKY WAYNE
05/25/2016	10:24 am	Filing recorded: CITATION/S ISSUED + HIGHWAY COMMISSION BROCK, CRAVIN

Print Date: 06/29/2016  
 Print Time: 12:02:42PM  
 Requested By: DENISES

File: U:\Reports\CaseHistoryCivil.RPT

Page 1 of 2

**CASE HISTORY FOR CASE 160163-C**

05/25/2016	10:24 am	DENISES recorded the following Case Action Note: CRAVIN BROCK EMAILED TO CHRIS@SMITHLAWFIRMTX.COM 05-25-2016 BROCK, CRAVIN
05/25/2016	10:23 am	Filing recorded: CITATION/S ISSUED +(2) SECRETARY OF STATE BUCKLEY TRANSPORT INC
05/25/2016	10:23 am	DENISES recorded the following Case Action Note: BUCKLEY TRANSPORT INC AND BUCKLEY TRANSPORT LOGISTICS EMAILED TO CHRIS@SMITHLAWFIRMTX.COM 05-25-2016 BUCKLEY TRANSPORT INC
05/25/2016	10:21 am	Filing recorded: CITATION REQUESTED (HIGHWAY COMMISSION) KIRKLAND, RICKY WAYNE
05/24/2016	10:21 am	Filing recorded: CITATION REQUESTED (STATE) (2) KIRKLAND, RICKY WAYNE
05/24/2016	10:13 am	Filing recorded: REQ FOR PROCESS FORM KIRKLAND, RICKY WAYNE
05/24/2016	10:11 am	Filing recorded: E-FILE RECEIPT KIRKLAND, RICKY WAYNE
05/20/2016	10:06 am	Filing recorded: PLAINTIFF'S ORIGINAL PETITION KIRKLAND, RICKY WAYNE
05/20/2016	10:06 am	Filing recorded: CASE INFORMATION SHEET KIRKLAND, RICKY WAYNE
05/20/2016	10:02 am	Filing recorded: E-FILE RECEIPT KIRKLAND, RICKY WAYNE
05/20/2016	10:01 am	Filing recorded: *** E-FILED CASE *** KIRKLAND, RICKY WAYNE

**Edwards, David B.**

---

**From:** Denise Smith <dsmith@co.orange.tx.us>  
**Sent:** Wednesday, June 29, 2016 12:05 PM  
**To:** Edwards, David B.  
**Subject:** Cause No. A160163-C, Kirkland v. Buckley Transport - Request for Clerk's Records  
**Attachments:** edwards case history.pdf; edwards cis form.pdf

Attached you will find the copies you requested.

Thank you  
Denise Smith  
409/882/7832

**Edwards, David B.**

---

**From:** DoNotReply@certifiedpayments.net  
**Sent:** Wednesday, June 29, 2016 11:55 AM  
**To:** Edwards, David B.  
**Subject:** Certified Payments - Digital Receipt

Dear Customer,

Your payment was successful.

Billing Details

---

Name: david edwards  
Address: 6310 riverview way

HOUSTON, TX 77057

Telephone: 7134640889

Bureau Name: Orange County, TX District Clerk  
Cause Number or Description of Payment: 160163-C ds history

Payment Amount: \$2.00  
Convenience Fee: \$1.00

---

Total Payment: \$3.00

Payment method

---

Credit Card: xxxxxxxxxxxx6001  
Expiration Date: xx/xxxx  
Payment ID: 100139710039  
Authorization Code: 286643

If you have any questions please contact Certified Payments at [CustomerService@CertifiedPayments.net](mailto:CustomerService@CertifiedPayments.net) or call us at 1-866-539-2020.

Thank you,

Certified Payments

**Edwards, David B.**

---

**From:** DoNotReply@certifiedpayments.net  
**Sent:** Wednesday, June 29, 2016 12:02 PM  
**To:** Edwards, David B.  
**Subject:** Certified Payments - Digital Receipt

Dear Customer,

Your payment was successful.

Billing Details

---

Name: david edwards  
Address: 6310 riverview way

HOUSTON, TX 77057

Telephone: 7134640889

Bureau Name: Orange County, TX District Clerk  
Cause Number or Description of Payment: 160163-C ds copies

Payment Amount: \$2.00  
Convenience Fee: \$1.00

---

Total Payment: \$3.00

Payment method

---

Credit Card: xxxxxxxxxxxx6001  
Expiration Date: xx/xxxx  
Payment ID: 100139710683  
Authorization Code: 215769

If you have any questions please contact Certified Payments at [CustomerService@CertifiedPayments.net](mailto:CustomerService@CertifiedPayments.net) or call us at 1-866-539-2020.

Thank you,

Certified Payments



June 30, 2016

Ms. Vickie Edgerly  
Orange County, District Clerk  
801 West Division Avenue  
Orange, Texas 77630

*Via E-file*

Re: Cause No. A160163-C; *Ricky Wayne Kirkland, Individually and as Personal Representative of the Estate of Terri Thompson, Deceased v. Buckley Transport, Inc., Buckley Transport Logistics, Inc., and Cravin Brock, Individually*; In the 128th Judicial District Court of Orange County, Texas.

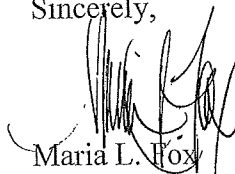
Dear Clerk:

I request that you send me a certified copy of the state court docket sheet, also known as your Case History, in the above captioned case and cause number. I have been advised that the Case History is 2 pages. The appropriate fee has been paid through the E-file system.

Kindly forward the certified copy to my attention at the below address.

Thank you for your time and attention. Please let me know if you have any questions.

Sincerely,



Maria L. Fox

MLF:DBE  
Enclosures

E-mail: Maria.Fox@leclairryan.com  
Direct Phone: 713.752.8347

1233 West Loop South, Suite 1000  
Houston, Texas 77027  
Phone: 713-654-1111 \ Fax: 713-650-0027

CALIFORNIA \ COLORADO \ CONNECTICUT \ MARYLAND \ MASSACHUSETTS \ MICHIGAN \ NEVADA  
NEW JERSEY \ NEW YORK \ PENNSYLVANIA \ TEXAS \ VIRGINIA \ WASHINGTON, D.C.

ATTORNEYS AT LAW \ WWW.LECLAIRRYAN.COM



**LaBorde, Kathy A.**

**From:** No-Reply@eFileTexas.gov  
**Sent:** Thursday, June 30, 2016 12:44 PM  
**To:** LaBorde, Kathy A.  
**Subject:** eFileTexas.gov - Filing Submitted - 11420932



**Filing Submitted**  
 Envelope Number: **11420932**

The filing below has been submitted to the clerks office for review. Please allow up to 24 business hours for clerk office processing.

Filing Details	
<b>Court</b>	Orange County
<b>Date/Time Submitted:</b>	6/30/2016 12:43:49 PM CDT
<b>Filing Type:</b>	Request
<b>Activity Requested:</b>	EFileAndServe
<b>Filed By:</b>	Kathy Laborde

Fee Details			
This envelope is pending review and fees may change.			
Case Fee Information			\$0.06
Payment Service Fees			\$0.06
Request			\$2.00
• Optional Services	Fee Per	Quantity	
• Copies - Certified	\$1.00	2	\$2.00
<b>Total: \$2.06</b> (The envelope still has pending filings and the fees are subject to change)			

Document Details	
<b>Lead File:</b>	Ltr. to District Clerk requesting certified copy of state court docket sheet.pdf
<b>Lead File Page Count:</b>	1
<b>File Copy</b>	<a href="https://efile.txcourts.gov/ViewDocuments.aspx?FID=20ad4df2-a4c3-437a-b79b-30571c7defdf">https://efile.txcourts.gov/ViewDocuments.aspx?FID=20ad4df2-a4c3-437a-b79b-30571c7defdf</a> This link is active for 35 days.

**Contact your service provider with any questions**



Need Help? [Help](#)

Visit: <https://efiletexas.gov/contacts.htm>

Email: [support@eFileTexas.gov](mailto:support@eFileTexas.gov)

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Please do not reply to this email. It was generated automatically by eFileTexas.gov

Secretary of State  
Service of Process  
P.O. Box 12079  
Austin, Texas 78711-2079



7190 1046 4701 0061 6751

**Return Receipt (Electronic)**

2016266657-2

Buckley Transport Logistics Inc  
Registered Agent, Stacy Lynn Buckley  
197 Airport Road  
Columbia, MS 39429

---

CUT / FOLD HERE

## The State of Texas



Service of Process  
P.O. Box 12079  
Austin, Texas 78711-2079

Phone: 512-463-5560  
Fax: 512-463-0873  
TTY (800) 735-2989  
www.sos.state.tx.us

Secretary of State

June 7, 2016

Buckley Transport Logistics Inc  
Registered Agent, Stacy Lynn Buckley  
197 Airport Road  
Columbia, MS 39429

**2016-266657-2**  
Include reference number in  
all correspondence

RE: Ricky Wayne Kirkland, et al VS Buckley Transport Inc, et al  
128th Judicial District Court Of Orange County, Texas  
Cause No: 160163C

Dear Sir/Madam,

Pursuant to the Laws of Texas, we forward herewith by CERTIFIED MAIL, return receipt requested, a copy of process received by the Secretary of State of the State of Texas on May 31, 2016.

CERTIFIED MAIL #71901046470100616751

Refer correspondence to:

Christopher S. Smith  
Smith Law Firm, PLLC  
1006 Green Avenue  
Orange, TX 77630

Sincerely,

A handwritten signature in black ink that reads "Venita Okpegbue".

Venita Okpegbue  
Team Leader, Service of Process  
GF/lc  
Enclosure

CIVIL CITATION - CITCVOWD

THE STATE OF TEXAS

TO: BUCKLEY TRANSPORT LOGISTICS INC  
STACY GLYNN BUCKLEY  
197 AIRPORT ROAD  
COLUMBIA, MS 39429

BY SERVING THE SECRETARY OF THE STATE OF TEXAS, AUSTIN TEXAS

Defendant, NOTICE:

YOU HAVE BEEN SUED. You may employ an attorney. If you or your Attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Said ANSWER may be filed with the District Clerk's Office, Orange County Courthouse, 801 W Division Ave, Orange Texas 77630.

Said PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY RESTRAINING ORDER AND INJUNCTIVE RELIEF was filed and docketed in the Honorable 128th District Court of Orange County, Texas at the District Clerk's Office at the Orange County Courthouse, 801 W Division Ave, Orange, Texas on MAY 23, 2016 in the following styled and numbered cause:

CAUSE NO. 160163-C

RICKY WAYNE KIRKLAND ET AL VS. BUCKLEY TRANSPORT INC ET AL

The name and address of the attorney for plaintiff otherwise the address of Plaintiff is:

CHRISTOPHER SMITH  
1006 GREEN AVENUE  
ORANGE, TEXAS 77630

ISSUED AND GIVEN under my hand and seal of said Court at Orange, Texas, this May 25, 2016.



VICKIE EDGERLY, District Clerk  
Orange County, Texas

*Vickie Edgerly*

RETURN

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock\_\_\_\_, M and executed in \_\_\_\_\_ County, Texas, at \_\_\_\_\_ o'clock \_\_\_\_M on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by delivering, in accordance with the requirements of law, to the within named

In person, a true copy of this citation together with the accompanying copy of the petition, having first endorsed thereon the date of delivery.

And not executed as to the defendant \_\_\_\_\_

RECEIVED  
SECRETARY OF STATE

the diligence used to execute being \_\_\_\_\_

the cause of failure to execute is \_\_\_\_\_

the defendant may be found \_\_\_\_\_

MAY 31 2016

Service of Process

TOTAL FEES: \_\_\_\_\_

BY: \_\_\_\_\_

266657-2

FILED: 5/20/2016 4:44:35 PM  
Vickie Edgerly, District Clerk  
Orange County, Texas  
By: Denise Smith, Deputy

CAUSE NO. A160163-C

RICKY WAYNE KIRKLAND, INDIVIDUALLY	§	IN THE DISTRICT COURT OF
AND AS PERSONAL REPRESENTATIVE	§	
OF THE ESTATE OF TERRI THOMPSON	§	
KIRKLAND, DECEASED	§	
	§	
VS.	§	ORANGE COUNTY, TEXAS.
	§	
BUCKLEY TRANSPORT, INC.,	§	
BUCKLEY TRANSPORT LOGISTICS, INC.,	§	
and CRAVIN BROCK, INDIVIDUALLY	§	128 <sup>th</sup> JUDICIAL DISTRICT COURT

**PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY  
RESTRAINING ORDER AND INJUNCTIVE RELIEF**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES now RICKY WAYNE KIRKLAND, INDIVIDUALLY, AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF TERRI THOMPSON KIRKLAND, DECEASED, complaining of Defendants BUCKLEY TRANSPORT, INC., BUCKLEY TRANSPORT LOGISTICS, INC., (hereinafter referred to as "BUCKLEY TRANSPORT"), and CRAVIN BROCK, INDIVIDUALLY (collectively referred to as Defendants), in support thereof would respectfully show the Court as follows:

I.

**DISCOVERY CONTROL PLAN**

Plaintiff intend to conduct discovery under Level 3 of Texas Rule of Civil Procedure 190.

II.

**PARTIES**

Plaintiff is a resident of Orange County, Texas.

Defendant, BUCKLEY TRANSPORT, INC. is a Mississippi company doing

business in the State of Texas, but does not have a registered agent listed with the State of Texas Secretary of State. Plaintiff alleges that the Secretary of State for the State of Texas is the agent for service on the nonresident defendant BUCKLEY TRANSPORT, INC. because nonresident Defendant BUCKLEY TRANSPORT, INC. engaged in business in Texas, the nonresident Defendant BUCKLEY TRANSPORT, INC. does not maintain a regular place of business in Texas, the nonresident Defendant BUCKLEY TRANSPORT, INC. does not have a designated agent for service of process, and the lawsuit arises out of the nonresident Defendant BUCKLEY TRANSPORT, INC.'s business in Texas. Therefore, Plaintiff requests that Defendant BUCKLEY TRANSPORT, INC. be served with process through the Secretary of State of Texas by U. S. certified mail, return receipt requested, on the Secretary of State of Texas, Statutory Documents Section - Citations Unit, P. O. Box 12079, Austin, TX 78711-2979, who will forward the process for service on Defendant BUCKLEY TRANSPORT, INC.'s registered agent (according to the Mississippi Secretary of State) Stacy Glynn Buckley, 197 Airport Road, P. O. Box 907, Columbia, MS 39429.

Defendant, BUCKLEY TRANSPORT LOGISTICS, INC. is a Mississippi company doing business in the State of Texas, but does not have a registered agent listed with the State of Texas Secretary of State. Plaintiff alleges that the Secretary of State for the State of Texas is the agent for service on the nonresident defendant BUCKLEY TRANSPORT LOGISTICS, INC. because nonresident Defendant BUCKLEY TRANSPORT LOGISTICS, INC. engaged in business in Texas, the nonresident Defendant BUCKLEY TRANSPORT LOGISTICS, INC. does not maintain a regular place of business in Texas, the nonresident Defendant BUCKLEY TRANSPORT

LOGISTICS, INC. does not have a designated agent for service of process, and the lawsuit arises out of the nonresident Defendant BUCKLEY TRANSPORT LOGISTICS, INC.'s business in Texas. Therefore, Plaintiff requests that Defendant BUCKLEY TRANSPORT LOGISTICS, INC. be served with process through the Secretary of State of Texas by U. S. certified mail, return receipt requested, on the Secretary of State of Texas, Statutory Documents Section - Citations Unit, P. O. Box 12079, Austin, TX 78711-2979, who will forward the process for service on Defendant BUCKLEY TRANSPORT LOGISTICS, INC.'s registered agent (according to the Mississippi Secretary of State) Stacy Glynn Buckley, 197 Airport Road, P. O. Box 907, Columbia, MS 39429.

Defendant, CRAVIN BROCK, INDIVIDUALLY, was a resident of Magnolia, Mississippi, at the time of the motor vehicle collision made the basis of this lawsuit. The Court has jurisdiction over Defendant because Defendant committed a tort in Texas having his disabled 1998 Peterbilt tractor trailer in the travel lane in an unsafe manner on a roadway in the State of Texas, which caused the collision made the basis of this suit. Defendant may be served at his last known residence at 1015 Brock Lane, Magnolia, Mississippi 39652, with service of process by U. S. registered mail, return receipt requested, on Tryon D. Lewis, Commissioner and Chairman of the Texas Transportation Commission, 125 East 11<sup>th</sup> Street, Austin, Texas 78701, in accordance with §17.061 *et seq*, Texas Civil Practice and Remedies Code.

III.

**CLAIM FOR RELIEF**

Pursuant to TRCP Rule 47(c), Plaintiff is seeking monetary relief over



\$1,000,000.00. If circumstances reveal otherwise, Plaintiff will amend his petition to so reflect.

IV.

**JURISDICTION AND VENUE**

The damages in this case, exclusive of interest and costs, are within the jurisdictional limits of this Court.

This Court has jurisdiction over Defendants as the acts and/or omissions giving rise to this suit occurred in Orange County, Texas, and Defendants subjected themselves to the jurisdiction of this Court by operating a motor vehicle within the Court's jurisdiction.

Venue is proper in Orange County because all or a substantial part of the events giving rise to this cause of action occurred in Orange County, Texas.

V.

**FACTS**

On February 29, 2016, Plaintiff Ricky Wayne Kirkland and his wife, Terri Thompson Kirkland, were traveling on North Lutchter Drive (feeder road to IH-10) in Orange, Orange County, Texas. Ricky Wayne Kirkland was driving his wife to work for her evening shift at Moz's Grill located at the intersection of North Lutchter Drive and MLK Drive in Orange, Texas.

CRAVIN BROCK was the operator of the 1998 Peterbilt tractor (VIN: 1XP5DR9X6WN454763) with the attached 2007 Fontaine flatbed trailer (VIN: 13N14830971541972) which were owned by Defendants BUCKLEY TRANSPORT, INC., BUCKLEY TRANSPORT LOGISTICS, INC. and/or CRAVIN BROCK,

INDIVIDUALLY. Defendants' tractor trailer was parked in the 4000 block of N. Lutchter Drive and was in the outer lane of travel on the frontage road at or around 11:00 p.m. Because Defendants' tractor-trailer were not marked nor well lit, Plaintiff Ricky Wayne Kirkland did not see Defendants' unmarked tractor-trailer and collided into the back of the tractor trailer truck. The impact caused serious injuries to Plaintiff Ricky Wayne Kirkland, and fatal injuries to his wife, Terri Thompson Kirkland.

As a result of the accident, Plaintiff Ricky Wayne Kirkland, Individually, received severe injuries to his back, neck, leg, hip, head, and body generally. Terri Thompson Kirkland's injuries caused by this accident resulted in her death on March 30, 2016. Ricky Wayne Kirkland and Terri Thompson Kirkland's injuries were proximately caused by the negligence of Defendants.

VI.

**AGENCY AND/OR SPECIAL RELATIONSHIP**

Furthermore, at the time and place of the occurrence in question, Defendant CRAVIN BROCK was the driver of the tractor-trailer while in the course and scope of his employment for BUCKLEY TRANSPORT. Accordingly, BUCKLEY TRANSPORT is liable herein for the acts and omissions of CRAVIN BROCK under the doctrine of *respondeat superior*. Moreover, pursuant to state and federal law, as a motor carrier, BUCKLEY TRANSPORT is directly and/or statutorily liable for the negligent acts and/or omissions of its drivers. Accordingly, BUCKLEY TRANSPORT is liable for the acts and/or omissions of CRAVIN BROCK at the time of the occurrence in question, for which both said Defendants are jointly and severally liable for any and all damages resulting from the occurrence in question. Or, stating in the alternative, Defendants'

negligently entrusted the tractor and trailer to Defendant CRAVIN BROCK, an unsafe driver.

VII.

**PLAINTIFF'S CAUSES OF ACTION AGAINST DEFENDANTS**

Plaintiff would show that Defendants were guilty of certain acts of negligence at the time of the incident in question, which proximately caused the injuries of Plaintiff, such acts of negligence.

At the time of the occurrence in question, Defendant CRAVIN BROCK was guilty of the following acts of negligence, each of which is a separate act of negligence and a proximate cause of the occurrence made the basis of this lawsuit, as well as all resulting losses, suffering, and damages hereinafter alleged:

- 1) Parking in a traffic lane;
- 2) Failing to pull over to a safe location;
- 3) Failing to warn the motoring public of his presence in a main lane of travel; and
- 4) Other acts and omissions which may be added as discovery progresses.

Each and all of the above and foregoing acts, both omission and commission, whether taken together and/or separately, are considered negligence, as that term is understood in the law, and a proximate cause of the occurrence made the basis of this lawsuit.

VIII.

**GROSS NEGLIGENCE**

Plaintiff further contends that the acts and omissions above constitute gross negligence since when viewed objectively from the Defendants' standpoint at the time of the occurrence, they involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others.

IX.

**DAMAGES OF PLAINTIFF RICKY WAYNE KIRKLAND, INDIVIDUALLY**

Plaintiff RICKY WAYNE KIRKLAND suffered severe personal injuries as a proximate result of the negligent acts and/or omissions of the Defendants. Plaintiff would show that as a result of his injuries, Plaintiff required medical treatment to evaluate and treat his medical conditions and pain, and will require additional medical treatment in the future. Additionally, Plaintiff has pain and discomfort and mental anguish for which he should also be compensated in a reasonable amount to be set by the jury. Therefore, Plaintiff will seek to recover all damages as allowed by law, including damages to compensate Plaintiff for the following:

1. Physical pain and mental suffering in the past;
2. Physical pain and mental suffering in the future;
3. Medical expenses in the past;
4. Medical expenses in the future;
5. Physical impairment in the past and in the future;
6. Physical disfigurement in the past and in the future.

7. Lost earnings in the past; and
8. Damage to earning capacity in the future.

X.

#### **SURVIVORSHIP CLAIM**

As a result of the injuries caused to Decedent Terri Thompson Kirkland, Decedent suffered conscious physical pain and suffering, mental anguish, physical impairment and incapacity and emotional distress prior to her death as her condition and fear continued to worsen. Her estate sustained healthcare, funeral and burial expenses as a result of her negligent injuries and death. The estate sues for all these damages under the Texas Survivorship Statute. Ricky Wayne Kirkland is the proper representative of the Decedent's estate.

XI.

#### **WRONGFUL DEATH CLAIM**

As a result of the death of Decedent, Plaintiff has sustained loss of companionship and society for the loss of the positive benefits flowing from the love, comfort, companionship and society that Plaintiff would in reasonable probability have received from Decedent had she lived and, in reasonable probability, will continue to suffer such losses in the future. Plaintiff has suffered a loss of household and domestic services as a result of the death of Terri Thompson Kirkland.

As a result of the death of Terri Thompson Kirkland, Plaintiff has suffered mental anguish in the form of the emotional pain, torment and suffering experienced because of Terri Thompson Kirkland's death, and in reasonable probability, will continue to suffer mental anguish in the future.

Plaintiff, as statutory beneficiary under the Texas Wrongful Death Statute, sues for all pecuniary losses, including but not limited to loss of earning capacity past and future, loss of inheritance, loss of all reasonable contributions of pecuniary value, loss of companionship, advice, society, counsel, maintenance, support, and mental anguish under said statute.

XII.

**ACTUAL AND EXEMPLARY DAMAGES**

Plaintiff seeks punitive or exemplary damages against defendants in the maximum amount allowed by law or in such other amount as a jury determines appropriate as well as Plaintiff's full actual damages against said defendants for wrongful death claims of the survival damages from the claims of the estate of Plaintiff's wife.

XIII.

**APPLICATION FOR TEMPORARY RESTRAINING ORDER**

Plaintiff's application for a Temporary Restraining Order is authorized by Tex. Civ. Pract. & Remedies Code §65.011, subsections (1), (2), and/or (5). Following are the facts which necessitate such injunctive relief:

On May 16, 2016 experts for Plaintiff and Defendants inspected the tractor and trailer involved in the accident in Columbia, Mississippi. Unfortunately, while Plaintiff's expert made every attempt, not all elements of the inspection were able to be accomplished that day. Counsel for Defendant agreed to hold the truck for 48 hours after the inspection. On May 18<sup>th</sup>, counsel for Plaintiff provided counsel for Defendant

with a letter requesting that the 1998 Peterbilt tractor (VIN: 1XP5DR9X6WN454763) and the 2007 Fontaine flatbed trailer (VIN: 13N14830971541972) involved in this collision be held an additional week and requesting various items be preserved i.e. the alternator, the battery, the rear LED lights of the trailer, and the SD card from the tractor's GPS unit. These requests by Plaintiff went unacknowledged by counsel for Defendant. The information sought to be preserved is potentially vital evidence in the case.

Plaintiff is willing to post bond.

#### XIV.

If Plaintiff's application is not granted, harm is imminent because evidence of the cause of Plaintiff's damages and the party or parties responsible will be destroyed, removed, altered, or otherwise rendered unusable as evidence. The harm that will result if this temporary restraining order is not issued is irreparable because Plaintiff, without the evidence as it presently is found, will be unable to reconstruct and determine the cause of the accident and other contributing conditions. Plaintiff has no adequate remedy at law if such evidence is destroyed, removed, altered or otherwise rendered unusable for the above-stated reasons. The property and rights involved are unique and irreplaceable, so that it will be impossible to accurately measure, in monetary terms, the damages caused by the Defendants' conduct. There is insufficient time to serve notice on the Defendants and hold a hearing on the application. Plaintiff stands willing and able to post bond.

The restraining order should be entered ex parte because there is not enough time to serve notice on Defendants and to hold a hearing on this application because the tractor and trailer may already be released.

XV.

**REQUEST FOR TEMPORARY INJUNCTION**

Plaintiff asks the Court to set Plaintiff's Application for Temporary Injunction for hearing no later than 14 days from the signing of this Restraining Order and, after the hearing, issue a temporary injunction against Defendants, BUCKLEY TRANSPORT, INC., BUCKLEY TRANSPORT LOGISTICS, INC. ordering preservation of the following:

- 1) The 1998 Peterbilt tractor (VIN: 1XP5DR9X6WN454763) and the 2007 Fontaine flatbed trailer (VIN: 13N14830971541972) believed to be owned by BUCKLEY TRANSPORT, INC., BUCKLEY TRANSPORT LOGISTICS, INC., and/or CRAVIN BROCK, INDIVIDUALLY, involved in the accident in question, and the alternator, the battery, the rear LED lights of the trailer, and the SD card from the tractor's GPS unit.

Plaintiff has joined all indispensable parties under Tex.R. Civ. P. 39.

XVI.

**CONDITIONS PRECEDENT**

All conditions precedent to Plaintiff's claims for relief have been performed or have occurred.

XVII.

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff RICKY WAYNE KIRKLAND, INDIVIDUALLY, AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF TERRI THOMPSON KIRKLAND, DECEASED prays that a Temporary Restraining Order be issued against Defendants BUCKLEY TRANSPORT, INC., BUCKLEY TRANSPORT LOGISTICS, INC. and CRAVIN BROCK, INDIVIDUALLY, which specifically restrains them from conducting any testing, downloading, and removal of equipment on the tractor



trailer in question and/or put it back into service; that Plaintiff have judgment against the Defendant; that Plaintiff recover actual damages in an amount within the jurisdictional amounts of this honorable Court, that Plaintiff have pre-judgment interest at the maximum legal rate and post-judgment at the maximum legal rate; that Plaintiff recover his costs of Court in this action expended; that Defendants be cited to appear and answer this petition, and for such other relief to which Plaintiff may be entitled.

Respectfully submitted,

By 

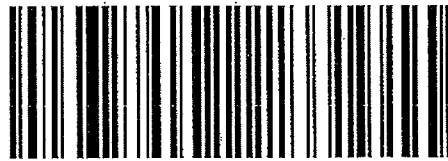
Christopher S. Smith  
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SMITH LAW FIRM, P.L.L.C.  
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and

Stephen C. Howard  
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903 Green Avenue  
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TEL (409) 883-0202  
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[steve@stevehowardlaw.com](mailto:steve@stevehowardlaw.com)

ATTORNEYS FOR PLAINTIFF RICKY WAYNE  
KIRKLAND, INDIVIDUALLY, AND AS  
PERSONAL REPRESENTATIVE OF THE  
ESTATE OF TERRI THOMPSON KIRKLAND,  
DECEASED

Secretary of State  
Service of Process  
P.O. Box 12079  
Austin, Texas 78711-2079



7190 1046 4701 0061 6751

**Return Receipt (Electronic)**

2016266657-2

Buckley Transport Logistics Inc  
Registered Agent, Stacy Lynn Buckley  
197 Airport Road  
Columbia, MS 39429

---

CUT / FOLD HERE

## The State of Texas



Service of Process  
P.O. Box 12079  
Austin, Texas 78711-2079

Phone: 512-463-5560  
Fax: 512-463-0873  
TTY (800) 735-2989  
[www.sos.state.tx.us](http://www.sos.state.tx.us)

Secretary of State

June 7, 2016

Buckley Transport Logistics Inc  
Registered Agent, Stacy Lynn Buckley  
197 Airport Road  
Columbia, MS 39429

**2016-266657-2**  
Include reference number in  
all correspondence

RE: Ricky Wayne Kirkland, et al VS Buckley Transport Inc, et al  
128th Judicial District Court Of Orange County, Texas  
Cause No: 160163C

Dear Sir/Madam,

Pursuant to the Laws of Texas, we forward herewith by CERTIFIED MAIL, return receipt requested, a copy of process received by the Secretary of State of the State of Texas on May 31, 2016.

CERTIFIED MAIL #71901046470100616751

Refer correspondence to:

Christopher S. Smith  
Smith Law Firm, PLLC  
1006 Green Avenue  
Orange, TX 77630

Sincerely,

A handwritten signature in black ink that reads "Venita Okpegbue".

Venita Okpegbue  
Team Leader, Service of Process  
GF/lc  
Enclosure

CIVIL CITATION - CITCVOWD

THE STATE OF TEXAS

TO: BUCKLEY TRANSPORT LOGISTICS INC  
STACY GLYNN BUCKLEY  
197 AIRPORT ROAD  
COLUMBIA, MS 39429

BY SERVING THE SECRETARY OF THE STATE OF TEXAS, AUSTIN TEXAS

Defendant, NOTICE:

YOU HAVE BEEN SUED. You may employ an attorney. If you or your Attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Said ANSWER may be filed with the District Clerk's Office, Orange County Courthouse, 801 W Division Ave, Orange Texas 77630.

Said PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY RESTRAINING ORDER AND INJUNCTIVE RELIEF was filed and docketed in the Honorable 128th District Court of Orange County, Texas at the District Clerk's Office at the Orange County Courthouse, 801 W Division Ave, Orange, Texas on MAY 23, 2016 in the following styled and numbered cause:

CAUSE NO. 160163-C

RICKY WAYNE KIRKLAND ET AL VS. BUCKLEY TRANSPORT INC ET AL

The name and address of the attorney for plaintiff otherwise the address of Plaintiff is:

CHRISTOPHER SMITH  
1006 GREEN AVENUE  
ORANGE, TEXAS 77630

ISSUED AND GIVEN under my hand and seal of said Court at Orange, Texas, this May 25, 2016.



VICKIE EDGERLY, District Clerk  
Orange County, Texas

*Vickie Edgerly*

RETURN

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock\_\_\_\_, M and executed in \_\_\_\_\_ County, Texas, at \_\_\_\_\_ o'clock \_\_\_\_M on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, by delivering, in accordance with the requirements of law, to the within named

In person, a true copy of this citation together with the accompanying copy of the petition, having first endorsed thereon the date of delivery.

And not executed as to the defendant \_\_\_\_\_

RECEIVED  
SECRETARY OF STATE

the diligence used to execute being \_\_\_\_\_

the cause of failure to execute is \_\_\_\_\_

the defendant may be found \_\_\_\_\_

MAY 31 2016

Service of Process

TOTAL FEES: \_\_\_\_\_

BY: \_\_\_\_\_

266657-2

FILED: 5/20/2016 4:44:35 PM  
Vickie Edgerly, District Clerk  
Orange County, Texas  
By: Denise Smith, Deputy

CAUSE NO. A160163-C

RICKY WAYNE KIRKLAND, INDIVIDUALLY	§	IN THE DISTRICT COURT OF
AND AS PERSONAL REPRESENTATIVE	§	
OF THE ESTATE OF TERRI THOMPSON	§	
KIRKLAND, DECEASED	§	
	§	
VS.	§	ORANGE COUNTY, TEXAS.
	§	
BUCKLEY TRANSPORT, INC.;	§	
BUCKLEY TRANSPORT LOGISTICS, INC.,	§	
and CRAVIN BROCK, INDIVIDUALLY	§	128 <sup>th</sup> JUDICIAL DISTRICT COURT

**PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY  
RESTRAINING ORDER AND INJUNCTIVE RELIEF**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES now RICKY WAYNE KIRKLAND, INDIVIDUALLY, AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF TERRI THOMPSON KIRKLAND, DECEASED, complaining of Defendants BUCKLEY TRANSPORT, INC., BUCKLEY TRANSPORT LOGISTICS, INC., (hereinafter referred to as "BUCKLEY TRANSPORT"), and CRAVIN BROCK, INDIVIDUALLY (collectively referred to as Defendants), in support thereof would respectfully show the Court as follows:

I.

**DISCOVERY CONTROL PLAN**

Plaintiff intend to conduct discovery under Level 3 of Texas Rule of Civil Procedure 190.

II.

**PARTIES**

Plaintiff is a resident of Orange County, Texas.

Defendant, BUCKLEY TRANSPORT, INC. is a Mississippi company doing

business in the State of Texas, but does not have a registered agent listed with the State of Texas Secretary of State. Plaintiff alleges that the Secretary of State for the State of Texas is the agent for service on the nonresident defendant BUCKLEY TRANSPORT, INC. because nonresident Defendant BUCKLEY TRANSPORT, INC. engaged in business in Texas, the nonresident Defendant BUCKLEY TRANSPORT, INC. does not maintain a regular place of business in Texas, the nonresident Defendant BUCKLEY TRANSPORT, INC. does not have a designated agent for service of process, and the lawsuit arises out of the nonresident Defendant BUCKLEY TRANSPORT, INC.'s business in Texas. Therefore, Plaintiff requests that Defendant BUCKLEY TRANSPORT, INC. be served with process through the Secretary of State of Texas by U. S. certified mail, return receipt requested, on the Secretary of State of Texas, Statutory Documents Section - Citations Unit, P. O. Box 12079, Austin, TX 78711-2979, who will forward the process for service on Defendant BUCKLEY TRANSPORT, INC.'s registered agent (according to the Mississippi Secretary of State) Stacy Glynn Buckley, 197 Airport Road, P. O. Box 907, Columbia, MS 39429.

Defendant, BUCKLEY TRANSPORT LOGISTICS, INC. is a Mississippi company doing business in the State of Texas, but does not have a registered agent listed with the State of Texas Secretary of State. Plaintiff alleges that the Secretary of State for the State of Texas is the agent for service on the nonresident defendant BUCKLEY TRANSPORT LOGISTICS, INC. because nonresident Defendant BUCKLEY TRANSPORT LOGISTICS, INC. engaged in business in Texas, the nonresident Defendant BUCKLEY TRANSPORT LOGISTICS, INC. does not maintain a regular place of business in Texas, the nonresident Defendant BUCKLEY TRANSPORT

LOGISTICS, INC. does not have a designated agent for service of process, and the lawsuit arises out of the nonresident Defendant BUCKLEY TRANSPORT LOGISTICS, INC.'s business in Texas. Therefore, Plaintiff requests that Defendant BUCKLEY TRANSPORT LOGISTICS, INC. be served with process through the Secretary of State of Texas by U. S. certified mail, return receipt requested, on the Secretary of State of Texas, Statutory Documents Section - Citations Unit, P. O. Box 12079, Austin, TX 78711-2979, who will forward the process for service on Defendant BUCKLEY TRANSPORT LOGISTICS, INC.'s registered agent (according to the Mississippi Secretary of State) Stacy Glynn Buckley, 197 Airport Road, P. O. Box 907, Columbia, MS 39429.

Defendant, CRAVIN BROCK, INDIVIDUALLY, was a resident of Magnolia, Mississippi, at the time of the motor vehicle collision made the basis of this lawsuit. The Court has jurisdiction over Defendant because Defendant committed a tort in Texas having his disabled 1998 Peterbilt tractor trailer in the travel lane in an unsafe manner on a roadway in the State of Texas, which caused the collision made the basis of this suit. Defendant may be served at his last known residence at 1015 Brock Lane, Magnolia, Mississippi 39652, with service of process by U. S. registered mail, return receipt requested, on Tryon D. Lewis, Commissioner and Chairman of the Texas Transportation Commission, 125 East 11<sup>th</sup> Street, Austin, Texas 78701, in accordance with §17.061 *et seq*, Texas Civil Practice and Remedies Code.

III.

**CLAIM FOR RELIEF**

Pursuant to TRCP Rule 47(c), Plaintiff is seeking monetary relief over

\$1,000,000.00. If circumstances reveal otherwise, Plaintiff will amend his petition to so reflect.

IV.

**JURISDICTION AND VENUE**

The damages in this case, exclusive of interest and costs, are within the jurisdictional limits of this Court.

This Court has jurisdiction over Defendants as the acts and/or omissions giving rise to this suit occurred in Orange County, Texas, and Defendants subjected themselves to the jurisdiction of this Court by operating a motor vehicle within the Court's jurisdiction.

Venue is proper in Orange County because all or a substantial part of the events giving rise to this cause of action occurred in Orange County, Texas.

V.

**FACTS**

On February 29, 2016, Plaintiff Ricky Wayne Kirkland and his wife, Terri Thompson Kirkland, were traveling on North Lutchter Drive (feeder road to IH-10) in Orange, Orange County, Texas. Ricky Wayne Kirkland was driving his wife to work for her evening shift at Moz's Grill located at the intersection of North Lutchter Drive and MLK Drive in Orange, Texas.

CRAVIN BROCK was the operator of the 1998 Peterbilt tractor (VIN: 1XP5DR9X6WN454763) with the attached 2007 Fontaine flatbed trailer (VIN: 13N14830971541972) which were owned by Defendants BUCKLEY TRANSPORT, INC., BUCKLEY TRANSPORT LOGISTICS, INC. and/or CRAVIN BROCK,



INDIVIDUALLY. Defendants' tractor trailer was parked in the 4000 block of N. Lutch Drive and was in the outer lane of travel on the frontage road at or around 11:00 p.m. Because Defendants' tractor-trailer were not marked nor well lit, Plaintiff Ricky Wayne Kirkland did not see Defendants' unmarked tractor-trailer and collided into the back of the tractor trailer truck. The impact caused serious injuries to Plaintiff Ricky Wayne Kirkland, and fatal injuries to his wife, Terri Thompson Kirkland.

As a result of the accident, Plaintiff Ricky Wayne Kirkland, Individually, received severe injuries to his back, neck, leg, hip, head, and body generally. Terri Thompson Kirkland's injuries caused by this accident resulted in her death on March 30, 2016. Ricky Wayne Kirkland and Terri Thompson Kirkland's injuries were proximately caused by the negligence of Defendants.

VI.

**AGENCY AND/OR SPECIAL RELATIONSHIP**

Furthermore, at the time and place of the occurrence in question, Defendant CRAVIN BROCK was the driver of the tractor-trailer while in the course and scope of his employment for BUCKLEY TRANSPORT. Accordingly, BUCKLEY TRANSPORT is liable herein for the acts and omissions of CRAVIN BROCK under the doctrine of *respondeat superior*. Moreover, pursuant to state and federal law, as a motor carrier, BUCKLEY TRANSPORT is directly and/or statutorily liable for the negligent acts and/or omissions of its drivers. Accordingly, BUCKLEY TRANSPORT is liable for the acts and/or omissions of CRAVIN BROCK at the time of the occurrence in question, for which both said Defendants are jointly and severally liable for any and all damages resulting from the occurrence in question. Or, stating in the alternative, Defendants'

negligently entrusted the tractor and trailer to Defendant CRAVIN BROCK, an unsafe driver.

VII.

**PLAINTIFF'S CAUSES OF ACTION AGAINST DEFENDANTS**

Plaintiff would show that Defendants were guilty of certain acts of negligence at the time of the incident in question, which proximately caused the injuries of Plaintiff, such acts of negligence.

At the time of the occurrence in question, Defendant CRAVIN BROCK was guilty of the following acts of negligence, each of which is a separate act of negligence and a proximate cause of the occurrence made the basis of this lawsuit, as well as all resulting losses, suffering, and damages hereinafter alleged:

- 1) Parking in a traffic lane;
- 2) Failing to pull over to a safe location;
- 3) Failing to warn the motoring public of his presence in a main lane of travel; and
- 4) Other acts and omissions which may be added as discovery progresses.

Each and all of the above and foregoing acts, both omission and commission, whether taken together and/or separately, are considered negligence, as that term is understood in the law, and a proximate cause of the occurrence made the basis of this lawsuit.

VIII.

**GROSS NEGLIGENCE**

Plaintiff further contends that the acts and omissions above constitute gross negligence since when viewed objectively from the Defendants' standpoint at the time of the occurrence, they involved an extreme degree of risk, considering the probability and magnitude of the potential harm to others.

IX.

**DAMAGES OF PLAINTIFF RICKY WAYNE KIRKLAND, INDIVIDUALLY**

Plaintiff RICKY WAYNE KIRKLAND suffered severe personal injuries as a proximate result of the negligent acts and/or omissions of the Defendants. Plaintiff would show that as a result of his injuries, Plaintiff required medical treatment to evaluate and treat his medical conditions and pain, and will require additional medical treatment in the future. Additionally, Plaintiff has pain and discomfort and mental anguish for which he should also be compensated in a reasonable amount to be set by the jury. Therefore, Plaintiff will seek to recover all damages as allowed by law, including damages to compensate Plaintiff for the following:

1. Physical pain and mental suffering in the past;
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#### **SURVIVORSHIP CLAIM**

As a result of the injuries caused to Decedent Terri Thompson Kirkland, Decedent suffered conscious physical pain and suffering, mental anguish, physical impairment and incapacity and emotional distress prior to her death as her condition and fear continued to worsen. Her estate sustained healthcare, funeral and burial expenses as a result of her negligent injuries and death. The estate sues for all these damages under the Texas Survivorship Statute. Ricky Wayne Kirkland is the proper representative of the Decedent's estate.

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#### **WRONGFUL DEATH CLAIM**

As a result of the death of Decedent, Plaintiff has sustained loss of companionship and society for the loss of the positive benefits flowing from the love, comfort, companionship and society that Plaintiff would in reasonable probability have received from Decedent had she lived and, in reasonable probability, will continue to suffer such losses in the future. Plaintiff has suffered a loss of household and domestic services as a result of the death of Terri Thompson Kirkland.

As a result of the death of Terri Thompson Kirkland, Plaintiff has suffered mental anguish in the form of the emotional pain, torment and suffering experienced because of Terri Thompson Kirkland's death, and in reasonable probability, will continue to suffer mental anguish in the future.

Plaintiff, as statutory beneficiary under the Texas Wrongful Death Statute, sues for all pecuniary losses, including but not limited to loss of earning capacity past and future, loss of inheritance, loss of all reasonable contributions of pecuniary value, loss of companionship, advice, society, counsel, maintenance, support, and mental anguish under said statute.

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**ACTUAL AND EXEMPLARY DAMAGES**

Plaintiff seeks punitive or exemplary damages against defendants in the maximum amount allowed by law or in such other amount as a jury determines appropriate as well as Plaintiff's full actual damages against said defendants for wrongful death claims of the survival damages from the claims of the estate of Plaintiff's wife.

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**APPLICATION FOR TEMPORARY RESTRAINING ORDER**

Plaintiff's application for a Temporary Restraining Order is authorized by Tex. Civ. Pract. & Remedies Code §65.011, subsections (1), (2), and/or (5). Following are the facts which necessitate such injunctive relief:

On May 16, 2016 experts for Plaintiff and Defendants inspected the tractor and trailer involved in the accident in Columbia, Mississippi. Unfortunately, while Plaintiff's expert made every attempt, not all elements of the inspection were able to be accomplished that day. Counsel for Defendant agreed to hold the truck for 48 hours after the inspection. On May 18<sup>th</sup>, counsel for Plaintiff provided counsel for Defendant

with a letter requesting that the 1998 Peterbilt tractor (VIN: 1XP5DR9X6WN454763) and the 2007 Fontaine flatbed trailer (VIN: 13N14830971541972) involved in this collision be held an additional week and requesting various items be preserved i.e. the alternator, the battery, the rear LED lights of the trailer, and the SD card from the tractor's GPS unit. These requests by Plaintiff went unacknowledged by counsel for Defendant. The information sought to be preserved is potentially vital evidence in the case.

Plaintiff is willing to post bond.

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If Plaintiff's application is not granted, harm is imminent because evidence of the cause of Plaintiff's damages and the party or parties responsible will be destroyed, removed, altered, or otherwise rendered unusable as evidence. The harm that will result if this temporary restraining order is not issued is irreparable because Plaintiff, without the evidence as it presently is found, will be unable to reconstruct and determine the cause of the accident and other contributing conditions. Plaintiff has no adequate remedy at law if such evidence is destroyed, removed, altered or otherwise rendered unusable for the above-stated reasons. The property and rights involved are unique and irreplaceable, so that it will be impossible to accurately measure, in monetary terms, the damages caused by the Defendants' conduct. There is insufficient time to serve notice on the Defendants and hold a hearing on the application. Plaintiff stands willing and able to post bond.

The restraining order should be entered ex parte because there is not enough time to serve notice on Defendants and to hold a hearing on this application because the tractor and trailer may already be released.

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**REQUEST FOR TEMPORARY INJUNCTION**

Plaintiff asks the Court to set Plaintiff's Application for Temporary Injunction for hearing no later than 14 days from the signing of this Restraining Order and, after the hearing, issue a temporary injunction against Defendants, BUCKLEY TRANSPORT, INC., BUCKLEY TRANSPORT LOGISTICS, INC. ordering preservation of the following:

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Plaintiff has joined all indispensable parties under Tex.R. Civ. P. 39.

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**CONDITIONS PRECEDENT**

All conditions precedent to Plaintiff's claims for relief have been performed or have occurred.


XVII.

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff RICKY WAYNE KIRKLAND, INDIVIDUALLY, AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF TERRI THOMPSON KIRKLAND, DECEASED prays that a Temporary Restraining Order be issued against Defendants BUCKLEY TRANSPORT, INC., BUCKLEY TRANSPORT LOGISTICS, INC. and CRAVIN BROCK, INDIVIDUALLY, which specifically restrains them from conducting any testing, downloading, and removal of equipment on the tractor

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Respectfully submitted,

By 

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State Bar No. 24002960  
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TEL (409) 886-7766  
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[steve@stevehowardlaw.com](mailto:steve@stevehowardlaw.com)

ATTORNEYS FOR PLAINTIFF RICKY WAYNE  
KIRKLAND, INDIVIDUALLY, AND AS  
PERSONAL REPRESENTATIVE OF THE  
ESTATE OF TERRI THOMPSON KIRKLAND,  
DECEASED



FILED: 6/30/2016 12:32:59 PM  
 Vickie Edgerly, District Clerk  
 Orange County, Texas  
 By: Denise Smith, Deputy

CAUSE NO. A160163-C

RICKY WAYNE KIRKLAND,	§	IN THE DISTRICT COURT OF
INDIVIDUALLY AND AS PERSONAL	§	
REPRESENTATIVE OF THE ESTATE	§	
OF TERRI THOMPSON KIRKLAND,	§	
DECEASED	§	
Plaintiffs	§	
	§	ORANGE COUNTY, TEXAS
vs.	§	
	§	
BUCKLEY TRANSPORT, INC.,	§	
BUCKLEY TRANSPORT LOGISTICS,	§	
INC., AND CRAVIN BROCK,	§	
INDIVIDUALLY	§	
Defendants	§	128th JUDICIAL DISTRICT

**DEFENDANT, BUCKLEY TRANSPORT INC.'S, ORIGINAL ANSWER**

**TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW, Defendant BUCKLEY TRANSPORT, INC., and files Defendant's Original Answer to Plaintiff, Ricky Wayne Kirkland, Individually, and as Personal Representative of the Estate of Terri Thompson Kirkland's Original Petition, and would respectfully show the Court as follows:

**I.**

Defendant generally denies within the contemplation of Rule 92, Tex. R. Civ. P., each and every, all and singular, the allegations of Plaintiffs' claims and causes of action, and respectfully requests the Court require Plaintiffs to prove their charges and allegations by a preponderance of the evidence as required by the Constitution and laws of the State of Texas.

**II.**

Defendant pleads the proportionate responsibility provisions of Chapter 33 of the Texas Civil Practice and Remedies Code, and request that the Court expressly direct the trier of fact to determine the percentage of responsibility of each Plaintiff, Defendant, Settling Person and

**III.**

Defendant pleads the proportionate responsibility provisions of Chapter 33 of the Texas Civil Practice and Remedies Code, and request that the Court expressly direct the trier of fact to determine the percentage of responsibility of each Plaintiff, Defendant, Settling Person and Responsible Third Party.

**IV.**

Defendant says that the occurrence in question, as well as the damages complained of herein, were proximately caused or producingly caused, in whole or in part, by the actions, omissions, fault, negligence, responsibility, or other conduct on the part of persons and/or responsible third-parties over whom Defendant is not legally responsible under law and over whom this Defendant had no right of control.

**V.**

Defendant would show that Defendant breached no duty to Plaintiffs. Defendant would show that the alleged risk of harm to Plaintiffs was not within the scope of any duty of Defendant, nor was it foreseeable.

**VI.**

Defendant pleads TEX.CIV.PRAC. & REM.CODE § 33, and asks the Court and jury to consider the relative damages and conduct of the parties and all tortfeasors, and accord Defendant full benefit of said law. Said Defendant is entitled to an offset, credit, or percentage reduction based upon a determination of the relative fault of all persons and tortfeasors or upon the amount of money paid by all other Defendants, responsible third parties, and/or tortfeasors to Plaintiffs.

**VII.**

Pleading further, and with respect to the exemplary and/or punitive damage claims brought herein, Defendant affirmatively pleads the limitation on the recovery of exemplary damages prescribed and set forth in the TEX. CIV. PRAC. & REM. CODE §§41.007 and 41.008.

**VIII.**

Pleading further, and with respect to any claim for exemplary and/or punitive damages herein, Defendant specifically pleads that such claims are governed by the evidentiary standard of clear and convincing evidence as prescribed and set forth in the TEX. CIV. PRAC. & REM. CODE §41.003.

**IX.**

Pleading further, and without waiving the foregoing, at the time and on the occasion of the incident in question, Defendant driver was acting under a sudden emergency as that term is known in law and acted in as a reasonably prudent person would have acted under the same or similar sudden emergency.

**WHEREFORE, PREMISES CONSIDERED,** Defendant **BUCKLEY TRANSPORT, INC.,** respectfully requests that Plaintiffs take nothing by this suit against Defendant, that Defendant be discharged, and that the Court grant such other and further relief, both general and special, at law and in equity, to which Defendant may be justly entitled.

Respectfully submitted,

**LECLAIRRYAN**

By: 

**MARIA L. FOX**

State Bar No.: 07335250

1233 West Loop South, Suite 1000

Houston, Texas 77027

Telephone: (713) 752-8347

Facsimile: (713) 650-0027

Email: [maria.fox@leclairryan.com](mailto:maria.fox@leclairryan.com)

**ATTORNEY FOR DEFENDANT  
BUCKLEY TRANSPORT, INC.**

**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that a true and correct copy of the above and foregoing document has been forwarded to all counsel of record as listed below by e-filing, hand delivery, regular mail, by certified mail, return receipt requested, and/or by facsimile transmission, on this the

30 day of June, 2016.

Christopher S. Smith  
Smith Law Firm, PLLC  
1006 Green Avenue  
Orange, Texas 77630

Stephen C. Howard  
Law Offices of Stephen C. Howard  
903 Green Avenue  
Orange, Texas 77630

  
\_\_\_\_\_  
MARIA L. FOX

**LaBorde, Kathy A.**

**From:** No-Reply@eFileTexas.gov  
**Sent:** Thursday, June 30, 2016 12:34 PM  
**To:** LaBorde, Kathy A.  
**Subject:** eFileTexas.gov - Filing Submitted - 11420744




**Filing Submitted**  
 Envelope Number: **11420744**

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Filing Details	
<b>Court</b>	Orange County
<b>Date/Time Submitted:</b>	6/30/2016 12:32:59 PM CDT
<b>Filing Type:</b>	Answer/Response
<b>Activity Requested:</b>	EFileAndServe
<b>Filed By:</b>	Kathy Laborde

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Case Fee Information	\$0.00
Answer/Response	\$0.00
<b>Total:</b> \$0.00 (The envelope still has pending filings and the fees are subject to change)	

Document Details	
<b>Lead File:</b>	Defendant Buckley Transport, Inc.'s Original Answer.pdf
<b>Lead File Page Count:</b>	4
<b>File Copy</b>	<a href="https://efile.txcourts.gov/ViewDocuments.aspx?FID=0018b3c8-75c2-4595-8d4c-68b9e003dba4">https://efile.txcourts.gov/ViewDocuments.aspx?FID=0018b3c8-75c2-4595-8d4c-68b9e003dba4</a> This link is active for 35 days.

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## Envelope Information

**Envelope Id**  
11420744

**Submitted Date**  
6/30/2016 12:32 PM CDT

**Submitted User Name**  
Kathy.Laborde@leclairryan.com

## Case Information

**Location**  
Orange County - District Clerk

**Category**  
Civil - Injury or Damage

**Case Type**  
Motor Vehicle Accident

**Case #**  
A160163-C

**Assigned to Judge**  
128TH JUDGE COURTNEY ARKEEN

**Firm Name**  
LeClairRyan

**Filed By**  
Kathy Laborde

## Filings

**Filing Type**  
EFileAndServe

**Filing Code**  
Answer/Response

**Filing Description**  
Defendant Buckley Transport, Inc.'s  
Original Answer

**Reference Number**  
55406.1725

**Filing Status**  
Accepted

**Accepted Date**  
6/30/2016 1:07 PM CDT

**Accept Comments**  
THANK YOU DENISE SMITH

## Lead Document

File Name	Description	Security	Download
Defendant Buckley Transport, Inc.'s Original Answer.pdf	Defendant Buckley Transport, Inc.'s Original Answer	Does Not Contain Sensitive Data	Original File Court Copy

## eService Details

Status	Name	Firm	Served	Date Opened
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Sent	Stephen C. Howard	Stephen C. Howard	Yes	Not Opened
Sent	Maria L Fox	Cotton, Bledsoe, Tighe & Dawson, P.C.	Yes	Not Opened

Sent Heidi Williams LeClair Ryan Yes Not Opened

## Parties with No eService

**Name** **Address**  
Buckley Transport, Inc.

**Name** **Address**  
Buckley Transport Logistics, Inc.

**Name** **Address**  
Cravin Brock

## Fees

### Answer/Response

Description	Amount
Filing Fee	\$0.00
<b>Filing Total: \$0.00</b>	

Total Filing Fee	\$0.00
<b>Envelope Total: \$0.00</b>	

<b>Party Responsible for Fees</b>	Buckley Transport, Inc.	<b>Transaction Amount</b>	\$0.00
<b>Payment Account</b>	LeClairRyan E-filing (MASTERCARD 3089)	<b>Transaction Id</b>	18345920
<b>Filing Attorney</b>	Maria Fox	<b>Order Id</b>	011420744-0
<b>Filer Type</b>	Not Applicable	<b>Transaction Response</b>	Authorized



FILED: 6/30/2016 12:35:16 PM  
 Vickie Edgerly, District Clerk  
 Orange County, Texas  
 By: Denise Smith, Deputy

## CAUSE NO. A160163-C

RICKY WAYNE KIRKLAND,  
 INDIVIDUALLY AND AS PERSONAL  
 REPRESENTATIVE OF THE ESTATE  
 OF TERRI THOMPSON KIRKLAND,  
 DECEASED

Plaintiffs

vs.

BUCKLEY TRANSPORT, INC.,  
 BUCKLEY TRANSPORT LOGISTICS,  
 INC., AND CRAVIN BROCK,  
 INDIVIDUALLY

Defendants

IN THE DISTRICT COURT OF

ORANGE COUNTY, TEXAS

128th JUDICIAL DISTRICT

DEFENDANT, BUCKLEY TRANSPORT LOGISTICS INC.'S  
ORIGINAL ANSWER

## TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Defendant BUCKLEY TRANSPORT LOGISTICS, INC., and files  
 Defendant's Original Answer to Plaintiff's Original Petition, and would respectfully show the Court  
 as follows:

## I.

Defendant generally denies within the contemplation of Rule 92, Tex. R. Civ. P., each  
 and every, all and singular, the allegations of Plaintiffs' claims and causes of action, and  
 respectfully requests the Court require Plaintiffs to prove their charges and allegations by a  
 preponderance of the evidence as required by the Constitution and laws of the State of Texas.

## II.

Defendant alleges that at the time and place and on the occasion in question, Plaintiff,  
 Ricky Wayne Kirkland, failed to exercise that degree of care which an ordinary prudent person  
 in the exercise of ordinary care would have exercised in the same or similar circumstances, and

such failure proximately caused or contributed to cause the occurrence made the basis of this suit.

**III.**

Pleading further, this Defendant specifically denies that it is a proper party. Defendant specifically denies that it employed the driver in question. Further, Defendant specifically denies that it owned the tractor or trailer in question.

**IV.**

Defendant pleads the proportionate responsibility provisions of Chapter 33 of the Texas Civil Practice and Remedies Code, and request that the Court expressly direct the trier of fact to determine the percentage of responsibility of each Plaintiff, Defendant, Settling Person and Responsible Third Party.

**V.**

Defendant says that the occurrence in question, as well as the damages complained of herein, were proximately caused or producingly caused, in whole or in part, by the actions, omissions, fault, negligence, responsibility, or other conduct on the part of persons and/or responsible third-parties over whom Defendant is not legally responsible under law and over whom this Defendant had no right of control.

**VI.**

Defendant would show that Defendant breached no duty to Plaintiffs. Defendant would show that the alleged risk of harm to Plaintiffs was not within the scope of any duty of Defendant, nor was it foreseeable.

**VII.**

Defendant pleads TEX.CIV.PRAC. & REM.CODE § 33, and asks the Court and jury to consider the relative damages and conduct of the parties and all tortfeasors, and accord Defendant full benefit of said law. Said Defendant is entitled to an offset, credit, or percentage reduction based upon a determination of the relative fault of all persons and tortfeasors or upon the amount of money paid by all other Defendants, responsible third parties, and/or tortfeasors to Plaintiffs.

**VIII.**

Pleading further, and with respect to the exemplary and/or punitive damage claims brought herein, Defendant affirmatively pleads the limitation on the recovery of exemplary damages prescribed and set forth in the TEX. CIV. PRAC. & REM. CODE §§41.007 and 41.008.

**IX.**

Pleading further, and with respect to any claim for exemplary and/or punitive damages herein, Defendant specifically pleads that such claims are governed by the evidentiary standard of clear and convincing evidence as prescribed and set forth in the TEX. CIV. PRAC. & REM. CODE §41.003.

**X.**

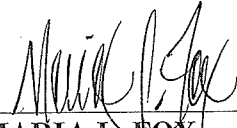
Pleading further, and without waiving the foregoing, at the time and on the occasion of the incident in question, Defendant driver was acting under a sudden emergency as that term is known in law and acted in as a reasonably prudent person would have acted under the same or similar sudden emergency.

**WHEREFORE, PREMISES CONSIDERED,** Defendant **BUCKLEY TRANSPORT LOGISTICS, INC.**, respectfully requests that Plaintiffs take nothing by this suit against Defendant,

that Defendant be discharged, and that the Court grant such other and further relief, both general and special, at law and in equity, to which Defendant may be justly entitled.

Respectfully submitted,

**LECLAIRRYAN**

By:   
**MARIA L. FOX**

State Bar No.: 07335250

1233 West Loop South, Suite 1000

Houston, Texas 77027

Telephone: (713) 752-8347

Facsimile: (713) 650-0027

Email: [maria.fox@leclairryan.com](mailto:maria.fox@leclairryan.com)

**ATTORNEYS FOR DEFENDANT,  
BUCKLEY TRANSPORT LOGISTICS, INC.**

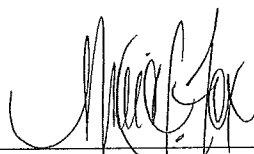
**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that a true and correct copy of the above and foregoing document has been forwarded to all counsel of record as listed below by e-filing, hand delivery, regular mail, by certified mail, return receipt requested, and/or by facsimile transmission, on this the

30 day of June, 2016.

Christopher S. Smith  
Smith Law Firm, PLLC  
1006 Green Avenue  
Orange, Texas 77630

Stephen C. Howard  
Law Offices of Stephen C. Howard  
903 Green Avenue  
Orange, Texas 77630

  
**MARIA L. FOX**

**LaBorde, Kathy A.**

**From:** No-Reply@eFileTexas.gov  
**Sent:** Thursday, June 30, 2016 12:36 PM  
**To:** LaBorde, Kathy A.  
**Subject:** eFileTexas.gov - Filing Submitted - 11420812




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Envelope Number: **11420812**

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<b>Date/Time Submitted:</b>	6/30/2016 12:35:16 PM CDT
<b>Filing Type:</b>	Answer/Response
<b>Activity Requested:</b>	EFileAndServe
<b>Filed By:</b>	Kathy Laborde

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Case Fee Information	\$0.00
Answer/Response	\$0.00
<b>Total: \$0.00</b> (The envelope still has pending filings and the fees are subject to change)	

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<b>Lead File Page Count:</b>	4
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**Envelope Id**  
11420812

**Submitted Date**  
6/30/2016 12:35 PM CDT

**Submitted User Name**  
Kathy.Laborde@leclairryan.com

## Case Information

**Location**  
Orange County - District Clerk

**Category**  
Civil - Injury or Damage

**Case Type**  
Motor Vehicle Accident

**Case #**  
A160163-C

**Assigned to Judge**  
128TH JUDGE COURTNEY ARKEEN

**Firm Name**  
LeClairRyan

**Filed By**  
Kathy Laborde

## Filings

**Filing Type**  
EFileAndServe

**Filing Code**  
Answer/Response

**Filing Description**  
Defendant Buckley Transport Logistics  
Inc.'s Original Answer

**Reference Number**  
55406.1725

**Filing Status**  
Accepted

**Accepted Date**  
6/30/2016 1:07 PM CDT

**Accept Comments**  
THANK YOU DENISE SMITH

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Sent	Stephen C. Howard	Stephen C. Howard	Yes	Not Opened
Sent	Maria L Fox	Cotton, Bledsoe, Tighe & Dawson, P.C.	Yes	Not Opened

Sent Heidi Williams LeClair Ryan Yes Not Opened

## Parties with No eService

**Name** **Address**  
Buckley Transport, Inc.

**Name** **Address**  
Buckley Transport Logistics, Inc.

**Name** **Address**  
Cravin Brock

## Fees

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Description	Amount
Filing Fee	\$0.00
<b>Filing Total:</b>	<b>\$0.00</b>

Total Filing Fee \$0.00  
**Envelope Total: \$0.00**

<b>Party Responsible for Fees</b>	Buckley Transport Logistics, Inc.	<b>Transaction Amount</b>	\$0.00
<b>Payment Account</b>	LeClairRyan E-filing (MASTERCARD 3089)	<b>Transaction Id</b>	18345994
<b>Filing Attorney</b>	Maria Fox	<b>Order Id</b>	011420812-0
<b>Filer Type</b>	Not Applicable	<b>Transaction Response</b>	Authorized